

BOX AF



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Response Under 37 C.F.R. § 1.116 Expedited Procedure

Re application of: Tosato et al.

Art Unit: 1642

Application No. 09/828,000

Filed: April 6, 2001

For: VASOSTATIN AS MARROW
PROTECTANT

Examiner: Misok Yu

Date: January 10, 2003

BOX AF
COMMISSIONER FOR PATENTS
Washington, DC 20231

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as Express Mail, Label No. EV211106952US, on January 10, 2003: BOX PCT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.


Susan Alpert Siegel, Ph.D.
Agent for Applicant

RECEIVED
JAN 16 2003
TECH CENTER 1600/2900

11/12
KJ
1-17-03

RESPONSE TO PAPER NO. 9

This amendment is submitted in response to the final Office action, dated September 25, 2002, for which a three month period for reply was set, making this response due on or before December 25, 2002. Applicants petition herein for a one-month extension of time, and submit the required fee herewith, making this response due on or before January 25, 2003. Please enter the following remarks, which should place this application in condition for allowance:

REMARKS

Claims 38-47 are pending. No new matter is added. Consideration of the following remarks is respectfully requested.

Prior Art

It is noted that no prior art has been cited against the pending claims.

01/14/2003 M6EBREM1 00000011 09828000

01 FC:1251

110.00 OP